

ST ALBANS CITY AND DISTRICT LOCAL PLAN EIP PRE-HEARING STATEMENT: MATTER 4

1.0 Introduction

- 1.1 Our client, Mr Pete Hutchison, owns land located to the south west of No. 57 to 61 Fishpool Street. A map showing our client's ownership is attached as Appendix 1. The site is suitable, available and deliverable for residential development. The site is sustainably located adjacent to the settlement boundary of St. Albans and benefits from the River Ver as a defensible green belt boundary. It is within within 0.5km of St Albans City Centre and within walking distance of schools and public open space. Further background information on the site has previously been provided within our Regulation 19 representations.
- 1.2 We are concerned that there is no proposal to alter the Metropolitan Green Belt designation to release our client's site from the Green Belt as part of the emerging Local Plan, and further that there has been no adequate localised review process to consider this site and/or other similar sites for their potential to contribute to the Plan's housing strategy and to provide sustainable development. In our client's view, the current draft Local Plan is unsound because the housing strategy for St Albans District Council has not been considered against reasonable alternatives, the draft Local Plan is therefore not justified. It is also inconsistent with national policy guidance as the most sustainable sites have not been considered.
- 1.3 Our response to questions raised by Inspector in relation to Matter 4 is set out below:

2.0 MATTER 4: The Metropolitan Green Belt (Policy S3)

Question 1. What is the basis of the Green Belt Review? What methodology has been applied and is it soundly based? Is the Council's approach to the Green Belt set out in its response to the Inspector's Initial Question 16 and letter of the 2 July 2019 (Green Belt topic paper) robust and in line with national guidance?

- 2.1 We have reviewed the evidence base and are of the view that the methodology applied and utilised in the Green Belt Review is not robust. We stress that the November 2013 Green Belt Review Purposes Assessment is not detailed enough to provide a robust evidence base required to make the plan sound.
- 2.2 The Assessment has not looked at the green belt boundaries in sufficient detail. For example, land rear of 57 Fishpool Street clearly performs differently when compared with Verulamium Park or land beyond the existing settlement boundary to the west. It is evident that our client's site is physically separated from Verulamium Park (and indeed the wider open Green Belt) by the very clear and identifiable physical boundary of the River Ver. Indeed, whilst "predominantly open green space", it bears more direct relationship with the St Albans urban conurbation – indeed, it is garden land serving our client's property (No. 57 Fishpool Street), which falls outside of the Green Belt and forms part of the built-up area. It also lies within the designated St Albans Conservation Area; this area primarily relates to the urban conurbation, and the inclusion of our client's site within it further

underlines its relationship with and status as part of the built-up area. However, all of the above areas were considered together as '24B'. Indeed, land rear of 57 Fishpool Street is not required in relation to stopping large built-up areas from growing in an uncontrolled way or stopping neighbouring towns merging into one another. Furthermore, it will not impact on developers using urban land nor does it comprise unspoiled countryside. The only role it can be considered to fulfil is to preserve the setting and special character of the town and this is already controlled by the Conservation Area setting. As such it should be considered to be less good at doing the five functions than the eight areas identified. It is noted that all of the eight sites identified in the Green Belt Review were noted as contributing significantly to the purposes of the green belt in one function and fulfilling at least one other function partially. The sites East of Hemel Hempstead were assessed as 3rd tier, contributing the most to the purposes of the Green Belt. It is considered that land rear of 57 Fishpool Street compares favourably to the eight sites identified, particularly taking into account its sustainable location. It is therefore necessary that as a minimum, a further thorough and detailed review of the potential provided by a more localised Green Belt boundary review, incorporating sites such as our client's and considering the contribution they could make to the Local Plan's housing strategy - must be undertaken. Without such consideration, the plan is evidently unsound.

- 2.3 With regard to the Inspector's Initial Question 16 and the letter of the 2nd July 2019, we agree with the Inspector that the extract of the March 2019 Planning Policy Committee (PPC) meeting report is insufficient to explain the Council's approach to the green belt.
- 2.4 We have reviewed the Green Belt Topic Paper subsequently submitted by the Council. However, it is clear that during the assessment process the Council have not looked at the green belt boundaries in sufficient detail to allow the Council to understand the nature and extend to the harm and effect on Green Belt. The November 2013 Green Belt Review Purposes Assessment only looked at our client's site as part of a much larger site, including the park and an area to the west of St Albans. The fact that the site rear of 57 Fishpool Street clearly performs differently when compared with Verulamium Park or land beyond the existing settlement boundary to the west was evidently overlooked.
- 2.5 The Topic Paper makes it very clear that only strategic scale Green Belt sites – as Broad Locations – have been given detailed consideration as part of the process. Stating that *"small sites in the Green Belt submitted through the call for sites have not been needed or assessed."* Instead, the Council puts forward that these can come through Neighbourhood Plans or as rural exception sites.
- 2.6 Our client considers that this approach is unsound, the potential benefits of delivering housing on small and medium sites are significant in the shorter-term and can provide sustainable development. Specifically, smaller and medium sized sites around St Albans which may be brownfield, underutilised, in sustainable locations with excellent access to amenities and local services have not been adequately considered. Clearly, this approach creates risks for meeting the Council's housing demand and is contrary with the NPPF Paragraph 68 which specifically promotes delivery of housing on small/medium sites as "they are often built-out relatively quickly".
- 2.7 The Council's approach to not even assess these smaller sites cannot be found to meet the requirement to assess all reasonable alternatives. Furthermore, we would query the potential for smaller green belt sites to come forward as part of a neighbourhood plan given that this is likely that it would be considered contrary to adopted strategic policy. Rural exception sites will no doubt be important but a wider approach is needed to ensure that small and medium sites can come forward and make a key contribution to housing land supply.

- 2.8 Overall, our client is concerned that there is no evidence that the draft Local Plan has not been sufficiently justified and explored all alternative options – it is therefore contrary to Paragraph 35, 68 137, 138 and 139 of the NPPF (2019).

Question 2. How have the conclusions of the Green Belt Review informed the Local Plan? Do decisions on Green Belt releases reflect the need to promote sustainable patterns of development, and prioritise sites which are previously developed and/or well served by public transport? Where is this evident?

- 2.9 In our view, there is no evidence of sufficient justification and clear explanation for the site selection decisions, which is a fundamental omission in the preparation process putting the soundness of the Local Plan in question.
- 2.10 Our client's site is underutilised and well-located. It does not perform most of the Green Belt purposes defined by the NPPF (2019). The release of this site would allow housing within a sustainable location close to the amenities and transport links in St Albans City Centre. It is therefore better located than the areas identified on the consultation map. The release of land rear of 57 Fishpool Street would result in development which is well connected with the built-up area, extending no further than the buildings at St Albans School and including the River Ver as a defensible boundary.
- 2.11 Indeed prior to 1985 this area was not identified as Green Belt and given the recent developments at St Albans School it makes sense that the original boundary covering the park up to the River Ver is utilised. In context of the above, it is important to note the findings of the Planning Inspector when considering the 1985 Local Plan under which the site was originally incorporated into the Metropolitan Green Belt. His 1982 report specifically noted that *"in my opinion, no sufficient case has been made out on green belt grounds for advancing the green belt from its previous position which followed the readily defined and recognizable line of the River Ver."* He went on to recommend that *"the green belt line to the rear of the properties on the south and south-west side of Fishpool Street be reverted to its previous position along the River Ver."* The Inspector therefore also came to the view that the site bore a clear relationship to and indeed broadly formed part of the St Albans urban conurbation rather than the Green Belt surrounding the city. Under the current regulations relating to the Local Plan adoption process, his findings would have likely precluded the site from being designated as part of the Green Belt. At the time of this report though, the Council were able to proceed with the adoption of their plan in spite of the Inspector's recommendations.
- 2.12 It is evident that the option of releasing small sites which are well served by public transport and in close proximity to amenities, such as land rear of 57 Fishpool Street, has not been given enough consideration as part of a comprehensive Green Belt review. As such, we request the Council to undertake a further, comprehensive and thorough review process in this context, and specifically to give detailed consideration to an amendment to the Green Belt boundary at our client's site which offers a sustainable, partially developed plot of land in a centrally located site forming a natural part of the urban conurbation that could make a modest but important contribution to the Council's housing targets for the impending Local Plan period.

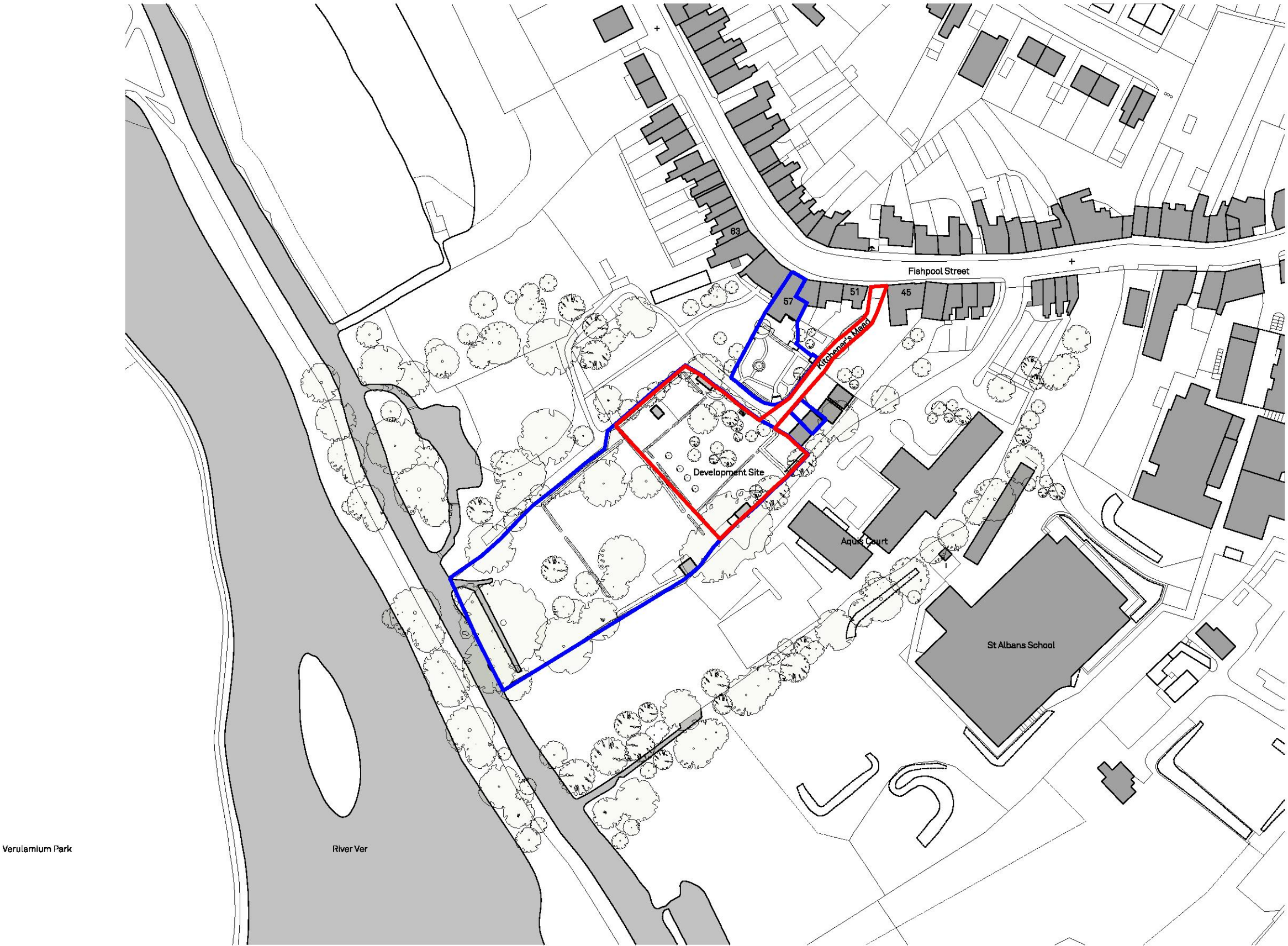
3.0 Summary

- 3.1 In summary, it is our opinion that our client's site has been miss-assessed by the Council during the Local Plan preparation process. As such, we consider that the Green Belt Review Assessment is unsound.

- 3.2 Again, we stress that the draft Local Plan was developed since the Government have published a new NPPF (2019). The revised NPPF replaces the previous 2012 NPPF and now provides overarching planning policy guidance for England (which also refers to plan-making, and the Green Belt review process). In context of the new planning policy guidance, our client is concerned that there is no evidence that the draft Local Plan has been fully justified as the Council has not examined the appropriateness of alternative sites in the full capacity.
- 3.3 For the above reasons, we request that the Council undertakes a further, comprehensive and thorough review process in this context, and specifically to give detailed consideration to an amendment to the Green Belt boundary at our client's site which is a sustainable location, partially developed brownfield land forming a natural part of the urban conurbation. As such, it is evident that the residential use at the site would be consistent with the local context and make a modest but important contribution the Council's housing supply over the plan period and as it stands the draft Local Plan unnecessarily places constraints by restricting the new development and use of the site.

Appendices Consents

Appendix 1: Site Location Plan (page 6)



Revisions					
P5	Planning	JH	AH	SADC	26.09.14
P4	Draft Planning	JH	AH	Client	04.07.14
P3	GA Update	JH	AH	Client	10.03.14
P2	Pre-Planning	JH	AH	Client	21.01.14
P1	Draft Pre-Planning	JH	AH	Client	17.01.14
Rev.	Description	Drawn	Check	Issued to	Date issued

Notes

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Do not scale from drawings.

Errors to be reported immediately to the Architect.

To be read in conjunction with all relevant Architects', Services and Structural Engineers' drawings.

All existing site, tree and building information has been compiled from different sources.

All dimensions to be checked on site.

**CARMODY
GROARKE**

2nd FLOOR
21 DENMARK STREET
LONDON WC2H 8NA

Telephone
+44 (0)207 836 2333
Facsimile
+44 (0)207 836 2334

www.carmodygroarke.com



Project	Fishpool Street	Project No.	190
Client	Pete & Jules		
Date	15 January 2014	Drawn	JH
Scale / Format	1:1250@A3	Checked	AH
CAD Reference	P:\Projects\2014\CAD\190\190.dwg	Approved	
Drawing Name	Existing Location Plan	Drawing No.	190_X_10_00
		Issue	P5